

Voted at Meeting of 11/4/76

BOARD OF APPEAL REFERRALS

NOVEMBER 4, 1976

1. Z-3691 Castle Square Associates - Bertram A. Druker
400-438 Tremont Street, Boston
2. Z-3693-3694 Peter Stegmayer - Stephen Lizio
100 West Springfield Street and
518 Shawmut Avenue, Boston
3. Z-3695 Eugene J. Arcand
223-229 Brighton Avenue, Allston
4. Z-3698-3699 James P. Flynn
976-976(r) River Street, Hyde Park
5. Z-3700 First Pentecostal Church
3251-3257 Washington Street, Jamaica Plain
6. Z-3701 Mario and Emanuela Leone
58(r) South Crescent Circuit, Brighton
7. Z-3702 Mario Leone
27 Holton Street, Allston
8. Z-3709 Adams Realty, Inc.
Allen M. Gopen, Treasurer
197-201 South Street, Boston
9. Z-3718 John J. Mullen
11 Norton Street, Hyde Park
10. Z-3720 James P. Brickley
103 Revere Street, Boston

MEMORANDUM

NOVEMBER 4, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 11/16/76

Petition No. Z-3691
Castle Square Associates
Bertram A. Druker
400-438 Tremont Street, Boston
near Herald Street

Seven-story structure - apartment (H-3) and general business (B-4)
districts - South End Urban Renewal Area.

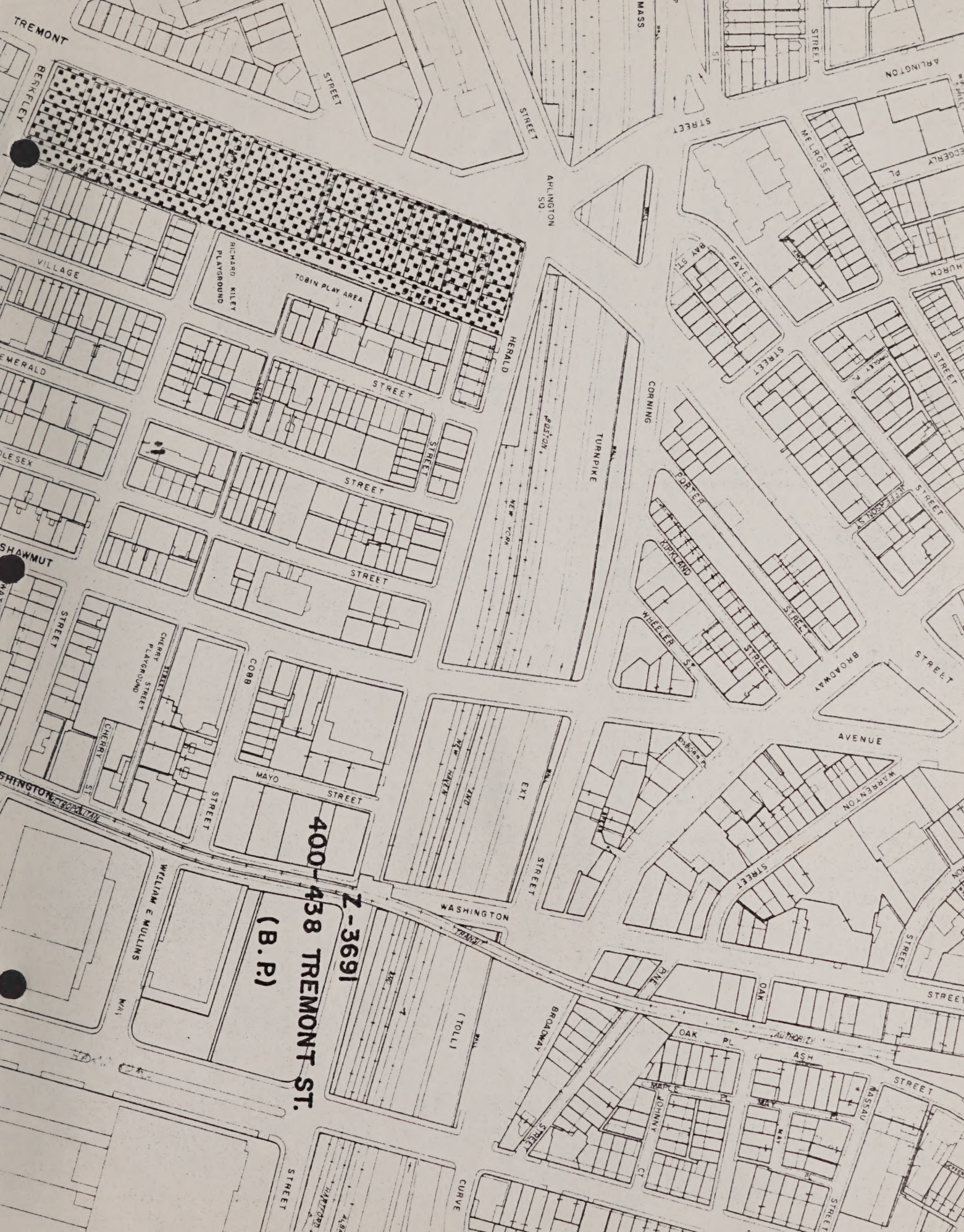
Purpose: to change occupancy from 48 apartments, stores, and day care
center for 18 children to 48 apartments, stores, office, and
day care center for 100 children.

Violation:

Section 8-7. A day care center for 100 children is conditional in an
H-3 district.

Tenant, Program Development Associates, Inc., is under contract with the
Massachusetts Department of Public Welfare to provide this community
service. Facility operates under the name of Castle Square Development
Center. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3691, brought by
Castle Square Associates, 400-438 Tremont Street,
in the South End Urban Renewal Area, for a condi-
tional use for a change of occupancy from 48
apartments, stores, and day care center for 18
children to 48 apartments, stores, office, and
day care center for 100 children in apartment
(H-3) and general business (B-4) districts, the
Boston Redevelopment Authority recommends
approval provided plans are submitted to the
Authority for design review.



400-438 TREMONT ST.

Z-3691

(B.P.)

Board of Appeal Referrals 11/4/76

Hearing: 11/16/76

Petitions Nos. Z-3693-3694
 Peter Stegmayer
 Stephen Lizio
 100 West Springfield Street and
 518 Shawmut Avenue, Boston

Two three-story structures - apartment (H-2) district -
 South End Urban Renewal Area.

Purpose: to change occupancy from two to three apartments and subdivide;
 to change occupancy from three to four apartments and subdivide.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which meets one half the requirement for open space is conditional in an apartment (H-2) district.		
Section 17-1. Open space is insufficient.	150 sf	100 sf 98 sf

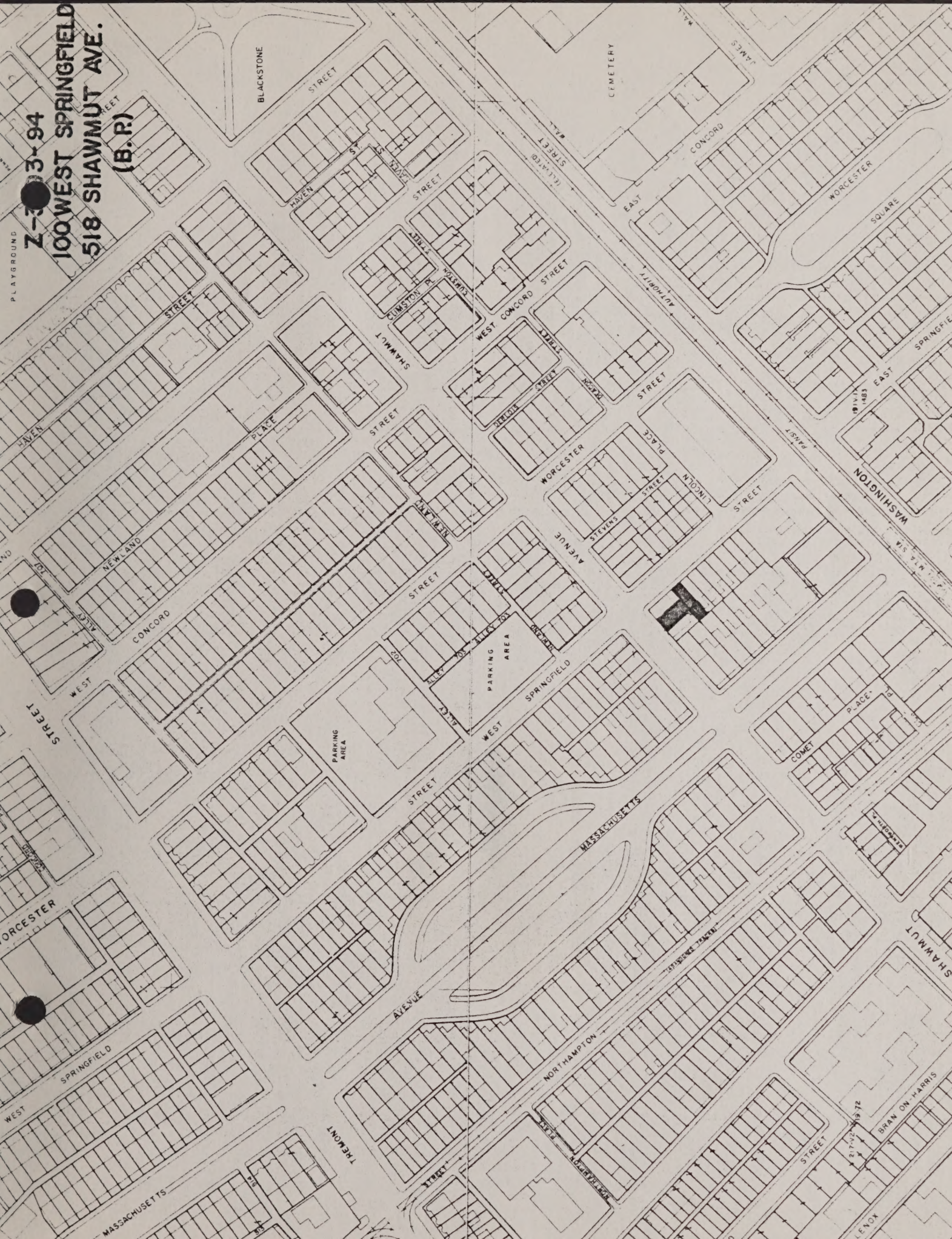
Occupancy is consistent with the residential nature of the neighborhood.
Recommend approval.

VOTED: In reference to Petitions Nos. Z-3693-3694, brought by Peter Stegmayer and Stephen Lizio, 100 West Springfield Street and 518 Shawmut Avenue, in the South End Urban Renewal Area, for two conditional uses and two variances for change of occupancy from two to three apartments and subdivide, and from three to four apartments and subdivide, in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Occupancy is consistent with the residential nature of the neighborhood.

Z-3-3-94

100 WEST SPRINGFIELD
518 SHAWMUT AVE.

(B. P.)



Board of Appeal Referrals 11/4/76

Hearing: 11/16/76

Petition No. Z-3695
Eugene J. Arcand
223-229 Brighton Avenue, Allston
at Craftsman Street

One-story masonry structure - general business (B-1) district.

Purpose: to erect one-story addition to automotive garage and sales structure.

Violation:

Section 8-6. A change in a conditional use requires Board of Appeal hearing.

Section 8-7. A repair shop garage is conditional in a B-1 district.

Legal occupancy of the facility consists of office, garage, spring shop, wholesale-retail sales of automotive springs. Proposed storage extension would not have a significant impact on this commercial area. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3695, brought by Eugene J. Arcand, 223-229 Brighton Avenue, Allston, for two conditional uses to erect a one-story addition to an automotive garage and sales structure in a general business (B-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-3695

223-229 BRIGHTON AVE.
(ALLSTON)



Board of Appeal Referrals 11/4/76

Hearing: 11/23/76

Petitions Nos. Z-3698-3699
 James P. Flynn
 976-976(r) River Street, Hyde Park
 near Lexington Avenue

One-story frame structure - residential (R-.5) district.

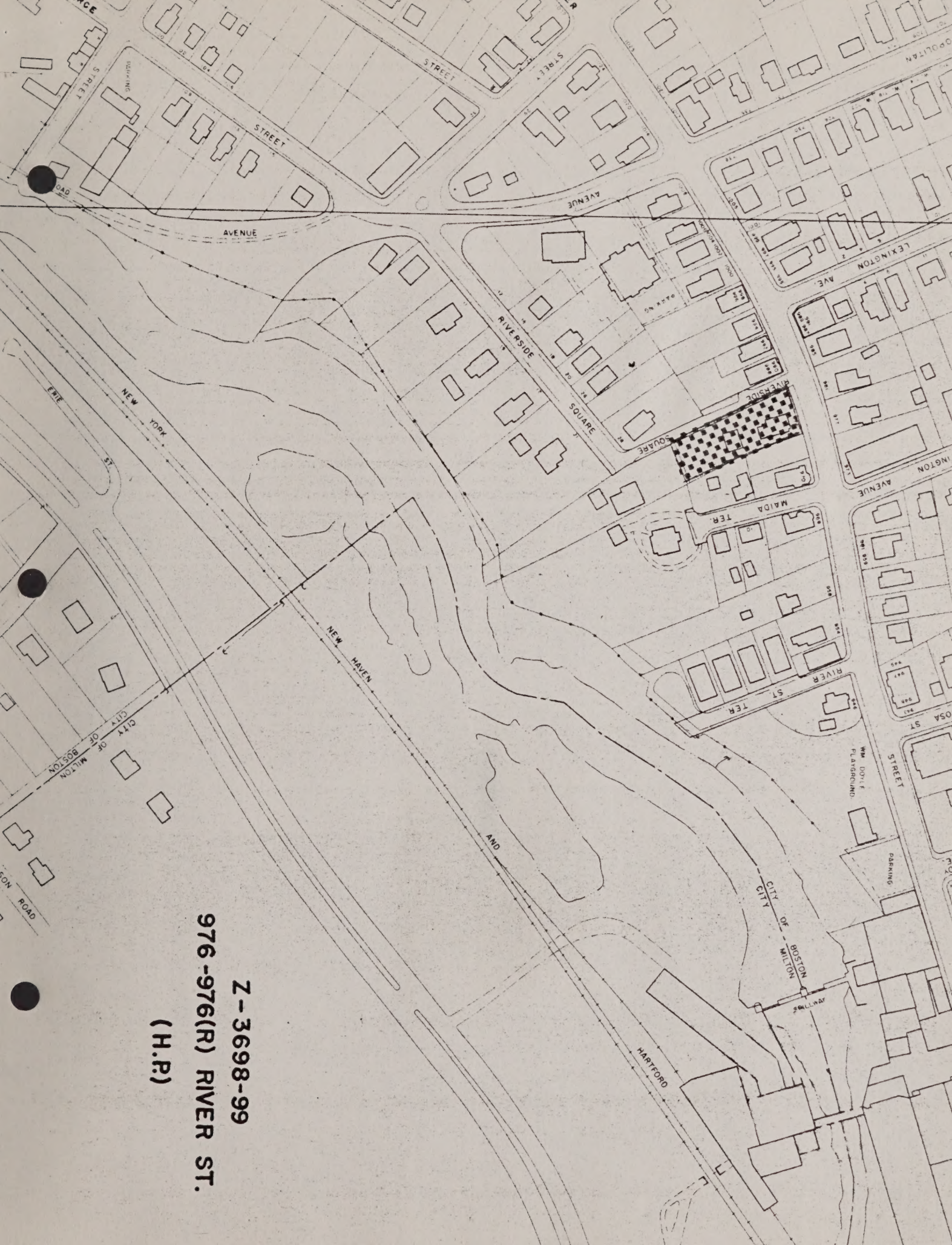
Purpose: to change occupancy from garage to one-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 18-1. Front yard is insufficient.	20 ft.	0
Section 20-1. Rear yard is insufficient.	40 ft.	30 ft.
Section 22-4. Required yards separating building and nearest main building are insufficient.	80 ft.	30 ft.

Use, though compatible with the area, is inappropriate for the site. Small structure (30' x 25') situated behind a 2½-story, two-family dwelling, cannot adequately support a residential unit. Recommend denial.

VOTED: In reference to Petitions Nos. Z-3698-3699, brought by James P. Flynn, 976-976(r) River Street, Hyde Park, for four variances for a change of occupancy from garage to one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Use, though compatible with the area, is inappropriate for the site. Small structure (30' x 25') cannot adequately support a residential unit.



Z-3698-99
976-976(R) RIVER ST.
(H.P.)

Board of Appeal Referrals 11/4/76

Hearing: 11/23/76

Petition No. Z-3700
 First Pentecostal Church
 3251-3257 Washington Street,
 Jamaica Plain
 at Cornwall Street

One-story masonry structure - local business (L-.5) district.

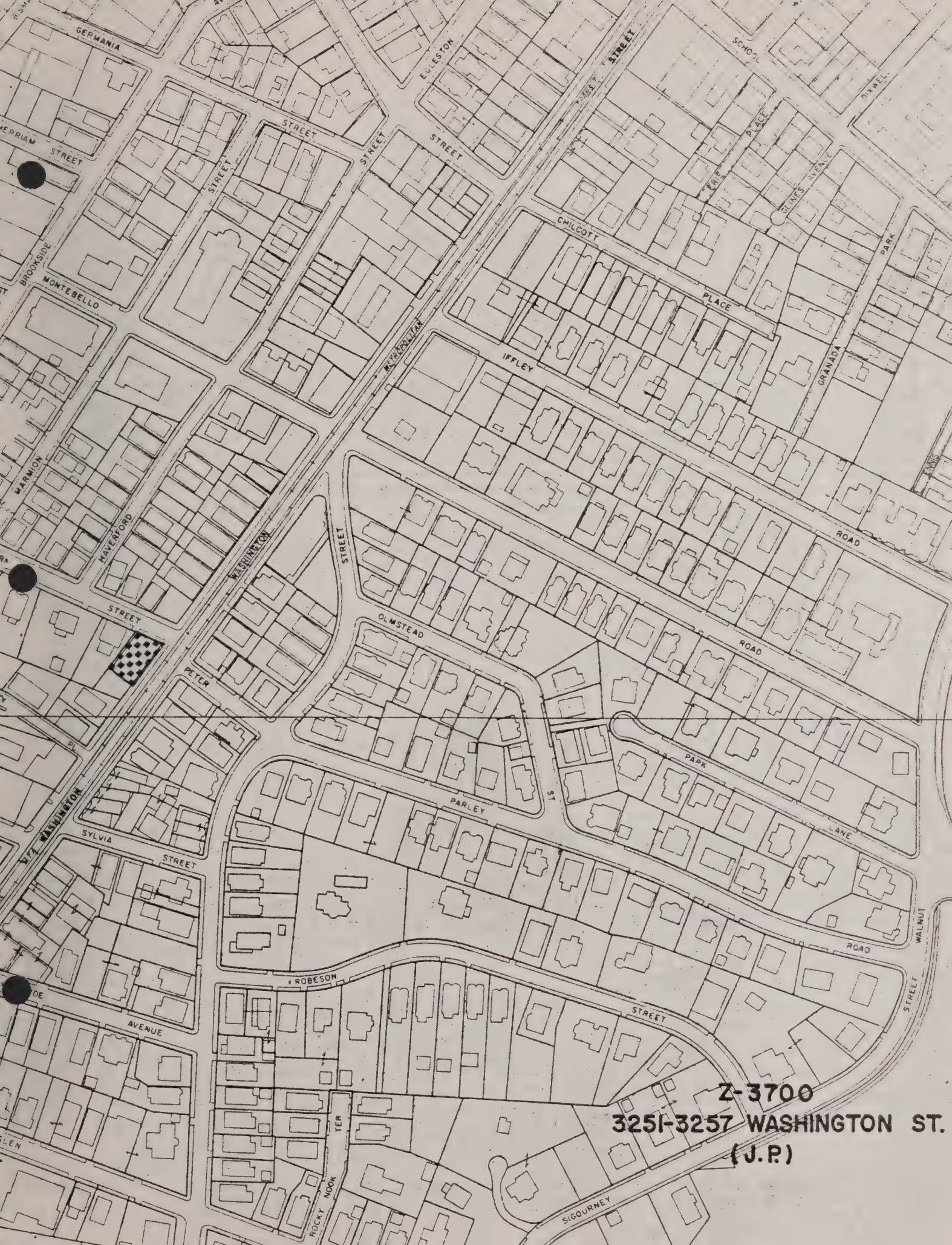
Purpose: to change occupancy from retail TV record shop to church.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 23-2. Off-street parking is insufficient.	22 spaces	8 spaces

Facility, with a seating capacity of 112, would operate four or five evenings a week. Parking plan is inadequate; cars would have to back onto Washington Street. Individual spaces as proposed ($9\frac{1}{2}' \times 12\frac{1}{2}'$) do not comply with code requirement ($8\frac{1}{2}' \times 20'$). Maneuvering area is inappropriate. Neighborhood has expressed opposition.

VOTED: In reference to Petition No. Z-3700, brought by First Pentecostal Church, 3251-3257 Washington Street, Jamaica Plain, for a variance for a change of occupancy from retail TV record shop to a church in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. Facility, with a seating capacity of 112, would operate four or five evenings a week. Parking plan is inadequate; cars would have to back onto Washington Street. Individual spaces as proposed ($9\frac{1}{2}' \times 12\frac{1}{2}'$) do not comply with code requirement ($8\frac{1}{2}' \times 20'$). Maneuvering area is inappropriate. Neighborhood has expressed opposition.



Z-3700
3251-3257 WASHINGTON ST.
(J.P.)

Board of Appeal Referrals 11/4/76

Hearing: 11/23/76

Petition No. Z-3701
Mario and Emanuela Leone
58(r) South Crescent Circuit, Brighton
at Regal Street

One-story masonry structure - residential (R-.5) district.

Purpose: to erect one-story addition to accessory garage.

Violation:

Section 20-2. Accessory garage may be no nearer than four feet to any side lot line.

Garage extension, already constructed, requires back-to-back parking for tenants. Proposal is inappropriate and could create a hazardous condition
Recommend denial.

VOTED: In reference to Petition No. Z-3701, brought by Mario and Emanuela Leone, 58(r) South Crescent Circuit, Brighton, for a variance to erect a one-story addition to an accessory garage in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Garage extension requires back-to-back parking for tenants. Proposal is inappropriate and could create a hazardous condition.



Z-3701
58(R) SOUTH CRESCENT CIRCUIT
(BRI.)

CHANDLER'S POND

GALLAGHER
MEMORIAL
PARK

ROAD
EXTENSION

KENRICK

ROAD

SOUTH CRESCENT

BRECK

BOSTONIA

NORTH CRESCENT

REGAL

AVENUE

CIRCUIT

FRANCES

STREET

GREYMER

FAIRBANKS

FACILE OVEN

PARKING

PARKING

ROAD

STREET

STREET

ROAD

ROAD

Board of Appeal Referrals 11/4/76

Hearing: 11/23/76

Petition No. Z-3702
 Mario Leone
 27 Holton Street, Allston
 at Athol Street

2½-story frame structure - residential (R-.8) district.

Purpose: to change occupancy from two- to three-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which meets one half the requirements for lot area is conditional in an R-.8 district.		
Section 14-2. Lot area is insufficient.	8,000 sf	6,893 sf

Neighborhood is predominantly single family, owner occupied. Conversion is undesirable and is strongly opposed by neighbors. Recommend denial.

VOTED: In reference to Petition No. Z-3702, brought by Mario Leone, 27 Holton Street, Allston, for a conditional use and a variance for a change of occupancy from a two- to a three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Neighborhood is predominantly single family, owner occupied. Conversion is undesirable and is strongly opposed by neighbors.

Z-3702
27 HOLTON ST.
(ALLSTON)



Board of Appeal Referrals 11/4/76

Hearing: 11/16/76

Petition No. Z-3709
Adams Realty, Inc.
Allen M. Gopen, Treasurer
197-201 South Street, Boston
near Kneeland Street

Six-story structure - manufacturing (M-8) district.

Purpose: to change occupancy from mercantile-leather storage to health and exercise club, commercial printing, shoe distributors, mercantile.

Violations:

Section 8-7. A health and exercise club is conditional in an M-8 district.

It is proposed to renovate the fourth floor of the loft building to accommodate a health and exercise center inclusive of TV lounge, changing area, exercise areas, billiards and game room. There will be no exterior changes. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3709, brought by Adams Realty, Inc., 197-201 South Street, Boston, for a conditional use for a change of occupancy from mercantile-leather storage to health and exercise club, commercial printing, shoe distributors, and mercantile in a manufacturing (M-8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the conditional use permit be limited to four years and extend only to the petitioner; that sign plans be submitted to the Authority for design review.



Z-3709
197-201 SOUTH ST.
(B.P.)

Board of Appeal Referrals 11/4/76

Hearing: 11/16/76

Petition No. Z-3718
John J. Mullen
11 Norton Street, Hyde Park
near Readville Street

1½-story frame structure - single-family (S-.5) district.

Purpose: to erect screened-in porch.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 20-1. Side yard is insufficient.	10 ft.	8 ft.

Porch would replace a platform entrance to one-family dwelling.
Violation is minimal. Recommend approval.

VOTED: In reference to Petition No. Z-3718, brought by John J. Mullen, 11 Norton Street, Hyde Park, for a variance to erect a screened-in porch in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Minimal violation would have no apparent effect on neighborhood.

Z-3718
11 NORTON ST.
(H.P.)



Board of Appeal Referrals 11/4/76

Hearing: 11/23/76

Petition No. Z-3720
James P. Brickley
103 Revere Street, Boston
near Charles Street

3½-story structure - local business (L-2-65) district.

Purpose: to change occupancy from one-family dwelling to two-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which meets one half the requirement for open space is conditional in a local business (L-2-65) district.		
Section 17-1. Open space is insufficient.	150 sf	78 sf

Additional unit will be consistent with the residential nature of the neighborhood. Community has no objection. Recommend approval.

VOTED: In reference to Petition No. Z-3720, brought by James P. Brickley, 103 Revere Street, Boston, for a conditional use and a variance for a change of occupancy from one-family dwelling to a two-family dwelling in a local business (L-2-65) district, the Boston Redevelopment Authority recommends approval. Additional unit will be consistent with the residential nature of the neighborhood. Community has no objection.



Z-3720
103 REVERE ST.
(B.R.)

